

Arent, Fox, Kintner, Plotkin & Kahn

Washington Square 1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

ORIGINAL
RECEIVED

MAY 22 1989

Theodore D. Frank
(202) 857-6016

May 22, 1989

FCC
Office of the Secretary

Mr. Edward J. Minkel
Managing Director
Federal Communications Commission
1919 M Street, N.W.
Room 852
Washington, D.C.

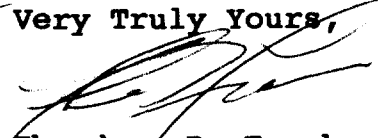
REC'D MASS MED BUR
MAY 23 1989
VIDEO SERVICES

Dear Mr. Minkel:

I am writing on behalf of Community Television of Southern California, applicant for a new noncommercial educational television station in Bakersfield, California (FCC File No. BPET-881012KE) concerning the attached letter to Chairman Patrick from Congressman David Drier. As that letter indicates, Community Television's application is mutually exclusive with the application of KMTF Channel 18, Inc. for the same facilities. (FCC File No. BPET-881230KG). Community Television believes that this letter comes within the Note to Section 1.1202 of the Commission's rules, but it is serving in on you so that it can be placed in the appropriate Commission public file. A copy is also being served on counsel for KMTF Channel 18.

If there are any questions concerning this matter, please let me know.

Very Truly Yours,


Theodore D. Frank
Counsel for Community of
Southern California

cc: Richard Hildreth, Esquire

DAVID DREIER
CALIFORNIA

410 CANNON BUILDING
WASHINGTON, DC 20513
(202) 225-2906

112 NORTH SECOND AVENUE
Covina, CA 91723
(818) 338-9078
(714) 882-2687



Congress of the United States
House of Representatives
Washington, DC 20515

May 17, 1989

BANKING, FINANCE AND
URBAN AFFAIRS
COMMITTEE

SMALL BUSINESS
COMMITTEE

VICE CHAIRMAN
SUBCOMMITTEE ON
ENERGY AND AGRICULTURE

TASK FORCE ON EDUCATION
U.S.-MEXICO INTERPARLIAMENTARY
CAUCUS

TASK FORCE ON POW/MIAs
JOINT TASK FORCE ON AFGHANISTAN

RECEIVED

MAY 22 1989

FCC
Office of the Secretary

Commissioner Dennis R. Patrick
Federal Communications Commission
1919 M Street, N. W.
Room 844
Washington, D.C. 20554

Dear Dennis:

I am writing concerning the Commission's delay in the processing of the application (File No. 881012KE) filed by Community Television of Southern California ("KCET") for construction of a new commercial television station to operate on Channel 39 in Bakersfield, California.

That application proposes the first off-the-air public television service to one of the few remaining major metropolitan areas of the country without such service. KCET's application is subject to the freeze imposed by the Federal Communications Commission (FCC) to assure the availability of spectrum for high definition television.

However, I understand that KCET has requested a waiver of that freeze by demonstrating that grant of an application to operate on Channel 39 will not adversely affect the availability of spectrum for high definition television.

I have been advised that the waiver request has been pending before the FCC for six months and that until it is acted on, the Commission cannot begin the process of considering whether KCET's application for a competing application which has been filed by KMTF Channel 18, Inc. for the same channel be granted. This delay is thus denying the promptest possible institution of public television service in the Bakersfield area.

Thank you in advance for your attention to this matter.

Sincerely,

David Dreier
Member of Congress

DD:md